

# Franklin County looking at 2011 budget

By Kristi Pihl, Herald staff writer

Franklin County officials are hoping next year's bill for attorneys representing indigent defendants will be a lot cheaper.

Eric Hsu, coordinator for the bicounty Office of Public Defense, told county commissioners Monday that this year was an anomaly.

Five pending murder trials have caused the office's miscellaneous professional services to cost \$421,000 so far this year instead of the \$100,000 that was budgeted. Those costs include nonroutine attorney fees, expert witnesses, investigators, medical records and transcriptions.

Hsu's presentation came as the county commissioners continued workshops to discuss a preliminary county budget for 2011 totaling \$23.2 million.

The county has used its reserves and some contingency dollars built into the 2010 budget to pay for the mandatory defense expenses.

County commissioners hope the state's extraordinary criminal justice fund will pick up some of the costs the county has faced this year. Hsu estimated the county could receive about \$125,000, but said that depends on decisions made in Olympia.

In 2009, the county received about \$39,000 from the state fund, but Hsu said the county's expenses then were about one-fifth of this year's, which are estimated at \$500,000.

The county spent \$197,500 alone on the second trial of Vicente Ruiz, who is charged with five counts of aggravated first-degree murder and one count of attempted first-degree murder in the 1987 Medina's Body Shop murders. That trial ended in a mistrial and a third trial is scheduled to start Nov. 9 in Spokane.

Fred Bowen, county administrator, said the county could spend \$200,000 more this year on the Ruiz trial.

Commission Chairman Brad Peck said he will emphasize the county's need for state assistance to Olympia. Commissioners also intend to seek assistance from area legislators and the county's lobbyist.

Hsu told commissioners he doesn't anticipate extraordinary costs from the pending murder trials to continue in 2011, so the \$100,000 budgeted for professional services this year should be sufficient for 2011.

Total budgeted expenses for the office in the preliminary budget are about \$610,000.

The preliminary budget does include adding an indigent defense lawyer at arraignments and contracting with someone to handle Superior Court cases in the relatively new legal financial obligations docket, which includes child support.

Hsu said having a defense attorney available at arraignments will cost about \$39,000, but it's a necessary expense.

The state Supreme Court recently passed a rule that requires a lawyer to be present during arraignment, or makes the court go through an extensive process for someone to enter a plea, Hsu said. Essentially, it has made it so difficult for a judge to accept a guilty plea at arraignment that judges are unlikely to accept one.

Hiring a separate attorney for the financial obligations docket will cost the county about \$7,200, but Hsu previously said it would save the county \$15,000 overall because a contracted attorney would be paid less than public defense attorneys would be paid if they exceeded their caseload ceiling.

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